

Application Fees are non-refundable.

Applicant's should contact the DMV DUI-Interlock Section at 1-800-642-9066 or 304-926-2507 for a review of their driving record before submission of the application.

FREQUENTLY ASKED QUESTIONS ABOUT THE WV ALCOHOL TEST AND LOCK (INTERLOCK) PROGRAM

1. What is an ignition interlock?

It is a small, hand-held, one-piece alcohol sensor, roughly the size and shape of a cordless telephone that weighs a few ounces. The device is "hard wired" into a vehicle's electrical system and requires a breath test before allowing the vehicle to be started.

2. How does it work?

The driver blows into the device and it measures his or her breath alcohol content to determine if it is above an established BrAC point set by the DMV. If alcohol is detected at or above the set point, the unit will not allow the vehicle to start. Once the unit allows the driver to start the vehicle, it will require random rolling retests to ensure the driver is not consuming alcohol while driving.

3. What is a rolling retest?

After a driver starts a vehicle, the unit will require another breath test within a few minutes. If the test is successful, the driver will then be subject to rolling retests at random intervals during the operation of the vehicle. If the driver fails a retest, or declines to submit to one when required, the unit will cause the vehicle's horn to sound intermittently until the vehicle is turned off or the driver successfully takes the retest. The device will NOT shut a vehicle off while it is in operation.

4. How else does the unit monitor the driver?

The unit contains a small computer that records all start attempts, the results of all tests, and the results of all rolling retests. It also records the time of day the vehicle is started and the time of day the vehicle is turned off. Additionally, any attempts to disconnect or tamper with the unit are recorded. All information is recorded and placed on a secure internet website for a Driver Services DUI-Interlock Section representative to review. Violations can result in anything from additional participation time or disqualification from the program. All participants acknowledge what is considered a violation in accordance with the Division Demerit System Policy during their initial training session.

5. How is a person in the interlock program monitored?

The participant appears at one of the service centers throughout the state where a technician downloads the recorded data from the interlock device onto a secure internet website. The monitoring frequency is normally set at 30-60 day intervals. Any combination of 3 violations will automatically set the device into "early recall" to return for service prior to the previously scheduled appointment. If any violations were committed since the previous monitoring the technician immediately contacts a representative at the Driver Services DUI-Interlock Section for review of the violation(s) and possible actions. The vehicle's odometer is also checked for total mileage driven and all connections are checked for tampering.

6. What happens if the participant does not appear as required?

The interlock unit is set to "lock out" after a grace period of 72 hours if the participant fails to appear for monitoring. If this happens, the vehicle will not start and the participant must tow the vehicle to a service center or a technician must be sent to the vehicle to download the unit and reset it. The participant is charged for this extra service. Additionally, the failure to

WV ALCOHOL TEST AND LOCK (INTERLOCK) PROGRAM APPLICATION

PLEASE CALL TOLL-FREE 1-800-642-9066 OR (304) 926-2507 FOR ASSISTANCE

**YOU MUST COMPLETE THIS ENTIRE APPLICATION, AND INITIAL AND SIGN IT WHERE REQUIRED, OR IT WILL NOT BE PROCESSED.**

The State of West Virginia may issue restricted driving privileges to a driver who has been revoked due to an **alcohol-related** DUI. The driver must apply for, and be accepted into, the Alcohol Test and Lock Program. Once accepted into the Program, the driver must have an approved ignition interlock device installed in their vehicle. Individuals interested in the Alcohol Test and Lock Program should carefully read and complete this application. Applicants should contact the Interlock Section toll-free at 1-800-642-9066 or 304-926-2507 with any questions.

Applicant Information

Full Name		Spouse's Name	Social Security Number	Date of Birth
Physical Address (Must present proof for the restricted driver's license issuance)				Driver's License Number
Mailing Address (If different)		State		Zip
Home Phone	Work Phone		Cell Phone	

Vehicle Information (Class "A" Passenger Type vehicles only)

Name of Registered Owner(s) or Lessee(s) <i>If other than Applicant, the Owner's Consent to Installation of Interlock Device on page 4 of this application must be completed. If more than one vehicle is owned and/or operated please list on a separate sheet.</i>				
Year	Make	Model	VIN	
Title Number		License Plate Number		

MUST READ AND SIGN. APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURES**I own more than 1 vehicle.**☐ Yes ☐ No**I understand that I can only operate the WV Interlock Equipped Vehicle**

_____ (Initials)

Insurance Information (Actual proof must be presented at device installation)

Insurance Company	Agent Name
Policy Number	Policy Expiration Date

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DO NOT WRITE BELOW THIS LINE, IT IS RESERVED FOR DMV OFFICE USE.

Processed By		Date	Fee Balance @ EOP	Date Mailed	Initials
S&T	Need Enrolled Completed	Date	Approval Number		Date Eligible
Revocation Period		Participation Period			
Combined Rev. & Part. Periods (For those who have waived their right to an Administrative Hearing)					

Eligibility Requirements

In order to be eligible to participate in the Alcohol Test and Lock Program you must meet the following minimum requirements, and you must:

- 1.) Not have any other revocations, suspensions, or other driving privilege withdrawals in West Virginia or any other state or jurisdiction;
- 2.) Have an active, **alcohol-based** DUI revocation on your driving record. Individuals with drug or controlled substance-based DUI revocations are **not** eligible for interlock;
- 3.) Not be appealing the revocation administratively, in Circuit Court, or in Supreme Court;
- 4.) Have completed or be enrolled in the Safety and Treatment Program within 60 days after beginning the Alcohol Test and Lock Program;
- 5.) Not have been convicted or suspended for driving while revoked or suspended within the last six (6) months;
- 6.) Own the vehicle(s) to be used in the Alcohol Test and Lock Program, or have the owner's written approval, for the installation of the ignition Interlock device; and
- 7.) Be at least 18 years of age.

Additional requirements may be imposed by the DMV.

Program Length

SITUATION (1):

If you want to **AVOID** your revocation, and your DUI is **alcohol-based**, you **must** apply and be approved for the ignition Interlock Program before your scheduled revocation date and you must waive your right to an administrative hearing.

In this situation, if approved, you will not have to serve the revocation period. Instead, the revocation period (days, months etc.) will be **added** to the ignition Interlock device participation period.

For example, if your minimum revocation period is 15 days and the ignition Interlock participation period is 4 months, the participation period would become 15 days plus 4 months.

SITUATION (2):

If you request an administrative hearing or if you do not apply for the Alcohol Test and Lock Program before your revocation begins, then your minimum revocation period and Interlock device installation period are as shown on the chart below.

APPLICANTS UNDER AGE 21:

If you were under age 21 at the time you were arrested for your DUI offense and had a BAC of less than .08 you may be eligible for having your record cleared after successfully completing the Alcohol Test and Lock Program (some restrictions apply).

REVOCATION AND IGNITION INTERLOCK DEVICE INSTALLATION PERIODS BY OFFENSE

DUI TYPE	FIRST OFFENSE		SECOND OFFENSE OR GREATER	
	MINIMUM REVOCATION PERIOD	MINIMUM DEVICE INSTALLATION PERIOD	MINIMUM REVOCATION PERIOD	MINIMUM DEVICE INSTALLATION PERIOD
BAC Less Than .15	15 DAYS	4 MONTHS		
BAC .15 or Greater	45 DAYS	9 MONTHS		
DUI (Any BAC)			1 YEAR	1 YEAR for Each Offense Within 10 YEARS
Knowingly Permitting	15 DAYS	4 MONTHS	1 YEAR	1 YEAR for Each Offense Within 10 YEARS
Implied Consent	45 DAYS	12 MONTHS	1 YEAR	1 YEAR for Each Offense Within 10 YEARS
Under 21 (AMA)	30 DAYS	6 MONTHS	2 MONTHS	1 YEAR
Child Endangerment	60 DAYS	10 MONTHS	1 YEAR	1 YR for Each Offense Plus an added 2 MOS Per Each Incident With Child Endangerment
Bodily Injury	2 MONTHS	1 YEAR	1 YEAR	1 YR for Each Offense Plus an added 6 MOS Per Each Incident With Bodily Injury
With Death	1 YEAR	2 YEARS	1 YEAR	1 YR for Each Offense Plus an added 2 YRS Per Each Incident With Death

MINIMUM REVOCATION & PARTICIPATION PERIODS MAY BE SUBJECT TO CHANGE IN THE EVENT OF NEW LEGISLATION.

Program Requirements for Approved Participants

Once you are approved for the Alcohol Test and Lock Program and ignition Interlock device:

- 1.) You will receive written notification from DMV with an approval number and a list of authorized ignition Interlock device service providers to choose from. You must contact the service provider you choose to schedule an installation appointment. You must have the ignition Interlock device installed within six (6) months of the date of application for the Alcohol Test and Lock Program.
- 2.) You must be driven to the appointment for the ignition Interlock device installation by a licensed driver.
- 3.) Vehicles must be manufactured after 1980 and may require an inspection to verify vehicle is equipped with OBD I (On Board Diagnostics Generation 1) in order for the ignition Interlock device installed. Give the ignition Interlock service provider the make/model/year of your vehicle when making the installation appointment.
- 4.) You will be required to return to the installation center **at least** every 30-60 days for vehicle monitoring, so data can be downloaded from the device and reported to DMV.
- 5.) You will be considered in violation of the Interlock Program, and subject to removal from the program, for any program violations which include, but are not limited to:
 - Failure to report for device monitoring every 30 days, or as scheduled;
 - If DMV receives notice from any law enforcement officer, DMV employee, or Interlock service provider that indicates you operated a vehicle not equipped with an ignition Interlock device;
 - Failure to abide by the service agreement with the Interlock service provider;
 - If the participant or anyone else, aside from the Interlock service provider, is found tampering with, bypassing, or removing the Interlock device;
 - Attempting to start, or operate, the vehicle while under the influence of alcohol;
 - Failure to submit to and pass any retests prompted by the Interlock device after the vehicle has been started;
 - Failure to use an ignition Interlock equipped vehicle;
 - Accumulation of Interlock Demerit system points in accordance with DMV policy; or
 - if you fail to enroll in, have no progress in, or withdraw yourself from the DUI Safety and Treatment Program.

Program Cost

All applicants must pay a \$100.00 non-refundable application processing fee. Individuals approved for the Alcohol Test and Lock Program will enter into a service agreement with the selected ignition Interlock service provider. The service agreement will contain the following two types of charges:

1	Mandatory Service Agreement Charges	
	Installation Charge	\$50.00
	Daily Rental Service	\$2.14
	De-Install Charge	\$30.00

2	These charges are only assessed for customer errors or service requests:			
	Missed Appointment	\$35.00	Service Call (hourly)	\$60.00
	Violation Reset	\$50.00	Service Call (per mile)	\$50.00
	Change of Vehicle	\$50.00	NSF Check	\$50.00
	Loss Protection (optional)	\$ Varies	Camera Device	\$0.50

**CHARGES ARE SUBJECT TO CHANGE WITH DMV APPROVAL PRIOR TO APPLICANT'S ENTRANCE INTO THE ALCOHOL TEST AND LOCK PROGRAM.
ALL SERVICE AGREEMENT CHARGES ARE SUBJECT TO STATE TAX.**

Applicant Certification

I have read the Alcohol Test and Lock Program Participant Requirements, as specified under WV Code §17C-5A-3a (found at www.legis.state.wv.us) and WV Administrative Regulation 91CSR5 (found at www.sos.wv.gov), and agree to those requirements. I understand that my participation in the program is restrictive, and I am subject to removal from the program for violating any of the terms and conditions imposed upon me. Furthermore, I understand:

- 1.) That its in violation of the Alcohol Test and Lock Program, as well as other motor vehicle laws, for me to attempt to obtain a driver's license in any other state or jurisdiction during my enrollment in the program.
- 2.) That any recent court convictions, not yet received by the DMV, may change my Alcohol Test and Lock Program eligibility status.
- 3.) **I must have successfully completed an approved DUI Safety and Treatment Program; or be actively enrolled in a DUI Safety and Treatment Program, within 60 days of having the ignition Interlock device installed on the vehicle, until I have successfully completed it** and that the DMV must be presented with proof of my enrollment and a copy of the receipt for the program charges **or** proof of satisfactory completion of the Safety and Treatment Program through one of the approved providers. **Failure to comply with these terms will result in immediate removal from the Alcohol Test and Lock Program**
- 4.) I must abide by the terms of the service agreement with the ignition Interlock device Service Provider, **and will contact the DMV 30 days prior to my scheduled removal date** to ensure all program paperwork is present all reinstatement fees are paid in full, and understand that failure to comply with this requirement may extend my program participation period.
- 5.) **Lack of use, or non usage, of the ignition Interlock equipped vehicle is considered a violation of the program. Failure to provide an adequate written explanation for such instances will result in program disqualification.** Removal from the Alcohol Test and Lock Program due to non-compliance of the rules governing the program including, but not limited to, the conditions listed in this section, shall result in the immediate loss of any restricted driving privileges provided by participation in this program.

I knowingly and intelligently waive any and all opportunities or rights to obtain an administrative hearing regarding my removal from the Alcohol Test and Lock Program.

I hereby declare under the penalties of perjury that all the information contained herein is true and accurate to the best of my knowledge, information, and belief.

Date of Application	Applicant's Signature (X)
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If approved for the Alcohol Test and Lock (Interlock) Program, you will receive written notification. Should your application for the program be declined, the DMV will send you written notification with an explanation as to why your application was rejected. Upon installing an interlock device in your vehicle, the DMV will fax an authorization letter to your chosen provider so you may obtain your restricted driver's license.

You cannot operate your interlock-equipped vehicle until you have received your restricted driver's license, which can only be used to operate a vehicle in which an approved functioning ignition Interlock device has been installed, and then only under the conditions set forth in this application.

VEHICLE OWNER'S CONSENT TO INSTALLATION OF AN IGNITION INTERLOCK DEVICE

THIS PAGE MUST BE COMPLETED IF THE VEHICLE IS NOT REGISTERED IN THE NAME OF THE ALCOHOL TEST AND LOCK PROGRAM APPLICANT.

Registered Vehicle Owner Information and Certification

I, the undersigned, do hereby swear or affirm that:

- 1.) I am the registered owner or lessee of the vehicle(s) described on page one(1).
- 2.) I agree to the use of the vehicle by the applicant, described on page one (1) of this application, for their participation in the Alcohol Test and Lock Program.
- 3.) I agree to the provisions of the Alcohol Test and Lock Program with the Division of Motor Vehicles and its authorized service provider.
- 4.) In the event that the applicant leaves the Alcohol Test and Lock Program, I will bring the vehicle to the service provider for the removal of the interlock device within five (5) days of their being terminated from the Alcohol Test and Lock Program.

Registered Owner's Signature	Registered Owner's Printed Name		
Street Address	City	State	Zip Code
Relationship to Applicant	Contact Phone Number		

The above described
vehicle is being used for:

Applicant's Printed Name

Driver's License Number

DMV FILE Number

NOTARY SEAL

Subscribed and sworn before me this _____ day of _____, 20____.

NOTARY PUBLIC SIGNATURE

My Commission expires on _____/_____/_____.

**DMV REGIONAL OFFICES CANNOT PROCESS THIS APPLICATION OR ANY REINSTATEMENT FEES.
YOU MUST MAIL THIS APPLICATION WITH AN APPLICATION PROCESSING FEE OF \$100.00
PAYABLE BY CHECK OR MONEY ORDER TO "WV DMV" AT THE FOLLOWING ADDRESS:**

**WV Division of Motor Vehicles
PO Box 17060
Charleston, WV 25317**

The \$100.00 Interlock Program application processing fee is NON-REFUNDABLE.

West Virginia Alcohol Test and Lock (Interlock) Program Violation Demerit System

As of January 1, 2005, a new policy has been instituted concerning the assessment and penalty for verified violations of the West Virginia Interlock Program.

All participants of the WV Interlock Program are governed by the following demerit system. This demerit system has been established to formalize the Division of Motor Vehicle's policy regarding violations occurring during participation of the Interlock Program. Demerit accumulation may cause an extension of the program participation and/or disqualification. For example, participants of the Interlock Program that blow a High BrAC upon initial start up of his/her vehicle may be assessed a \$50 fee by the servicing Interlock provider. Upon verification of this violation by the Division of Motor Vehicles, a demerit assessment, program extension and /or disqualification will be administered in accordance with this policy. The Division shall monitor for program compliance every thirty days from the date of installation. All violations occurring within a monitoring period will be reviewed and the violation causing the greatest demerit value will be assessed.

Demerits will be assigned as follows:

2 Demerit Violations

BrAC reading of .025 to .049

3 Demerit Violations

BrAC reading of .050 to .079

Running Retest Violations

3 missed appointment charges

Failure to enroll in Safety and Treatment within 60 days

4 Demerit Violations

BrAC reading of .080 or higher*

Start up Violation

Penalty time will be assessed as follows:

Acquiring 3-5 Demerits will add 2 months to participant's program length

Acquiring 6-8 Demerits will add 4 months to participant's program length

Acquiring 9-11 Demerits will add 6 months to participant's program length

Any participant who accumulates 12 or more demerits in a 12 month period will be removed from the program

Violations requiring automatic removal

- *Tampering with or bypassing the Interlock system*
- *Driving an unequipped vehicle*
- *Any arrest for driving while under the influence of any intoxicant or drug*
- *Continued failure to enroll in the DUI Safety and Treatment Program after demerits have been assessed for the initial failure*
- *Failure to participate and/or successfully complete the DUI Safety and Treatment Program*
- *Any evidence of intentional circumvention of Interlock system or rules*

Participants who are originally required to be on the program for more than 24 months are eligible for a reduction in demerits. If a driver has zero demerits in 12 consecutive months, he or she will have 6 demerits removed from their record. Any extension of participation length added to the driver as a penalty due to an accumulation of demerits will stay in effect, and ONLY the demerits will be removed. Participants are not eligible for demerit reduction if no demerits have been accrued.

I hereby declare that I understand the West Virginia Alcohol Test and Lock Violation Demerit System. I understand that if I am removed from the program before I complete my contractual participation, I must serve the remainder of the original license revocation period. Participation time served on the Interlock program shall not count towards fulfilling the requirements of the original revocation period.

No Participant will be removed with recorded violations during the last 60 days of scheduled participation and shall be assessed additional penalty time up to 60 days or until final download is violation free.

DATE	APPLICANT'S SIGNATURE	DRIVER'S LICENSE NUMBER

* Any BrAC reading of .08 or higher will result in a letter being sent to the Safety and Treatment Facility (if applicable) where he/she is currently enrolled. Such violations may result in additional time in the Safety and Treatment program and/or removal.